

REMARKS

***Restriction under 35 U.S.C. 121***

Claims 1-65 have been cancelled without prejudice. Claims 66-84 are pending.

1. The Office has restricted the invention as follows:

I. A<sup>1</sup> values selected from:

- 1) The first 3 moieties of claim 5.
- 2) The fifth and fourth moiety of claim 5.
- 3) The last 3 moieties of claim 5.
- 4) The value on the bottom of page 341.

II. A values selected from:

- 1) thiazole or thiadiazole
- 2) triazole or tetrazole
- 3) pyridine or pyrimidine

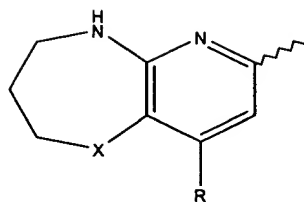
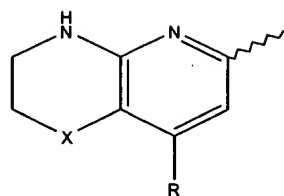
III. Right side substituent ending in COR<sup>b</sup>:

- 1) a chain
- 2) Y<sup>3</sup> taken together with Y<sup>4</sup> forms a ring
- 3) X taken together with Y<sup>3</sup> forms a ring.

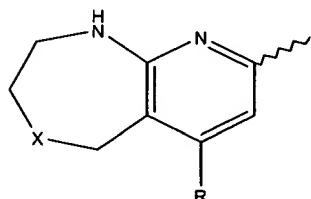
IV. The election of a species in case no generic claim is found to be allowable.

2. Applicants elect the following:

I. A<sup>1</sup> = 1) the first 3 moieties of Claim 5:



$X = \text{CH}_2, \text{O}, \text{S}, \text{SO}_2, \text{CO}, \text{CF}_2, \text{CMe}_2$   
 $R = \text{H}, \text{Me}, \text{OMe}, \text{OH}, \text{NR}_2$ , and

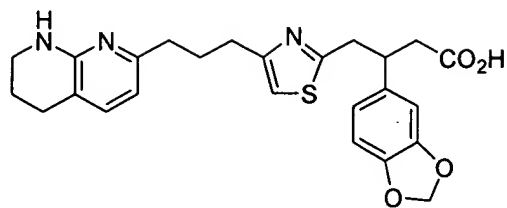


$X = \text{CH}_2, \text{O}, \text{S}, \text{SO}_2, \text{CO}, \text{CF}_2, \text{CMe}_2$   
 $R = \text{H}, \text{Me}, \text{OMe}, \text{OH}, \text{NR}_2$ ;

II. A = thiazole or isoxazole;

III. the right side substituent ending in  $\text{COR}^b$  = a chain, wherein  $\text{Y}^3$  and  $\text{Y}^4$  are independently selected from the group consisting of H, alkyl, haloalkyl, halogen, aryl, haloalkyl, halogen, aryl, aralkyl, heteroaralkyl, heteroaryl, alkenes, hydroxyalkyl, and alkyne; wherein the alkyl chain may be straight or branched and optionally containing one or more heteroatoms from the group consisting of N, O, and S, and optionally contains a sulfone, sulfonamide, nitrile, carboxamide, carboalkoxy, n or carboxyl group; wherein aryl and heteroaryl rings may be monocyclic or bicyclic optionally containing 1-5 heteroatoms and wherein said ring may be saturated or unsaturated, and such rings may optionally be substituted by one or more substituent  $\text{R}^c$ ; with the proviso that when  $\text{Y}^3$  or  $\text{Y}^4$  is H,  $\text{Y}^5$  may be C or N, otherwise  $\text{Y}^5$  is C;

IV. the species of Example 114:



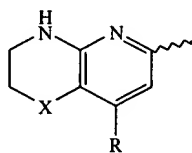
, 3-Benzo[1,3]dioxol-5-yl-4-{4-[3-(5,6,7,8-tetrahydro-[1,8]naphthyridin-2-yl)-propyl]-thiazol-2-yl}-butyric acid, should no generic claim be found allowable.

3. Applicants submit that the election is without prejudice to Applicants' right to file divisional applications directed to the subject matter not contained therein.

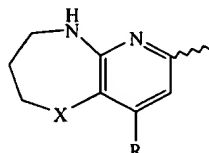
To comply with Requirement for Restriction, the specification has been amended as follows:

**In claim 1, now claim 71:**

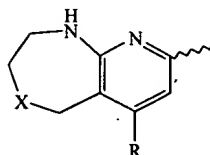
To comply with the Requirement for Restriction, non-elected subject matter has been deleted, and



X = CH<sub>2</sub>, O, S, SO<sub>2</sub>, CO,  
CF<sub>2</sub>, CMe<sub>2</sub>  
R = H, Me, OMe, OH, NR<sub>2</sub>



X = CH<sub>2</sub>, O, S, SO<sub>2</sub>, CO,  
CF<sub>2</sub>, CMe<sub>2</sub>  
R = H, Me, OMe, OH, NR<sub>2</sub>, and



“ X = CH<sub>2</sub>, O, S, SO<sub>2</sub>, CO, CMe<sub>2</sub>  
R = H, Me, OMe, OH ”

inserted for the definitions of A<sup>1</sup>, support for which can be found in former claim 5. The definition of A as thiazole or pyrazole can be found in Examples 3, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 107, 109, 110, 111, 112, 113, 114, and 125, and former claim 1 provides support for all other definitions. Proper Markush

language has been added. The phrase “may be” in the definition of  $Y^3$  and  $Y^4$  has been changed to “are” and the language in the definition  $Z_1$  and  $Z_2$ , “may contain” or “may further contain” has been changed to “contains”, which more specifically points to the invention. The phrase “Additionally,” has been removed to provide proper claim format.

**In claim 2, now claim 72:**

The phrase “ $A^1$ ,  $Z_1$ ,  $Z_2$ ,  $Y^3$ ,  $Y^4$  and ring A are defined as in claim 1” has been deleted, and dependency changed to reflect new claim 71.

**In claim 3: Deleted.**

**In claim 4, now claim 73:**

Changed to be dependent on new claim 72, and proper Markush language has been added.

**In claim 5: Now part of claim 71.**

**In claim 6: Deleted.**

**In claim 7: now claim 74:**

Changed to be dependent on claim 72, and proper Markush language has been added.

**In claim 8: now claim 75:**

Changed to be dependent on claim 74, non-elected subject matter has been removed ( $A^1$  =pyridine structure).

**In claims 9-14: Deleted.**

**In claim 15: now claim 76:**

Changed to be dependent on claim 71, non-elected subject matter has been removed

**In claim 16: now claim 77:**

Changed to be dependent on claim 71.

**In claim 17: now claim 78:**

Changed to be dependent on claim 76.

**In claim 18: now claim 79:**

Changed to be dependent on claim 71.

**In claim 19: now claim 80:**

Changed to be dependent on claim 76.

**In claim 20: now claim 81:**

Changed to be dependent on claim 71.

**In claim 21: now claim 82:**

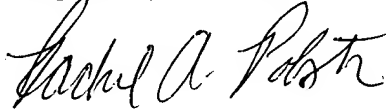
Changed to be dependent on claim 76.

**In claim 22-65: now claims 83-84:**

Changed to be dependent on claim 81 and 82, respectively,  
incorporates the avb3 conditions of claims 22-65, as supported by  
page 6 of the specification.

In view of the foregoing amendments, it is respectfully submitted  
that all claims now active in the present application are in condition for  
allowance. Therefore, passage of the application and claims to issue is  
respectfully requested.

Respectfully submitted,



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